

MEMO ENDORSED

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July 6, 2023

VIA ECF

Hon. Kenneth M. Karas, Judge
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: Anna Sampson v. Carriage Construction Corp., et al., File No. 23-CV-02384 (KMK) (JCM)

Your Honor:

We are counsel to plaintiff Anna Sampson in this matter and write with the consent of counsel for cross-claimant Sarah Lawrence College for two purposes: (1) to respectfully request that the parties' obligation to submit a proposed case management and discovery schedule before the July 20, 2023 status conference be lifted, and (2) to respectfully request guidance from the Court as to whether said conference should be adjourned and/or whether cross-claimant's appearance is required.

This matter was severed *sua sponte* from the case of *Anna Sampson v. Sarah Lawrence College, et al.* (File No. 18-CV-07518), which is currently scheduled for trial on September 14, 2023 before Magistrate Judith C. McCarthy. Plaintiff currently has a default judgment against defendants in this action, and Magistrate McCarthy severed this action because the defaulting defendants were not able to consent to Magistrate jurisdiction. Counsel for Sarah Lawrence College has advised the undersigned that said entity has withdrawn its cross-claims. As such, this case involves plaintiff and two defaulting defendants, and there is no attorney who is able to enter into a case management order with the undersigned.

The undersigned and copied counsel are willing to appear on July 20, 2023 as directed, but under the circumstances of this action, we believe it may be in the interest of judicial economy to adjourn this conference until sometime after trial in the severed action. Only an inquest is required in this action, and such may not be required depending on the aforementioned trial outcome. If the Court believes the July 20, 2023 conference is prudent, we respectfully request that the parties' obligation to submit a proposed case management and discovery

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schedule be lifted, and respectfully request guidance on whether
counsel for cross-claimant is required to appear.

Respectfully Submitted,


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cc: Via ECF
All Counsel

Jeffrey Weiskopf

Counsel is to provide a status report by 9/30/23. The 7/20/23 conference is
adjourned and the Parties need not submit a proposed case management plan.

So Ordered.


7/6/23